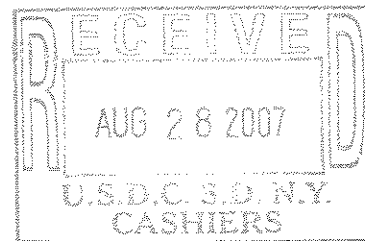


MICHAEL J. GARCIA
 United States Attorney for the
 Southern District of New York
 By: RUA M. KELLY (MA 643351)
 Assistant United States Attorney
 One St. Andrew's Plaza
 New York, New York 10007
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UNITED STATES DISTRICT COURT
 SOUTHERN DISTRICT OF NEW YORK

-----x	:	
UNITED STATES OF AMERICA,	:	<u>VERIFIED COMPLAINT</u>
	:	
Plaintiff,	:	
	:	
- v. -	:	07 Civ.
	:	
\$6,271.00 IN UNITED STATES	:	
CURRENCY,	:	
	:	
Defendant-in-rem.	:	
-----x	:	

Plaintiff United States of America, by its attorney,
 MICHAEL J. GARCIA, United States Attorney for the Southern
 District of New York, for its verified complaint alleges, upon
 information and belief, as follows:

I. JURISDICTION AND VENUE

1. This action is brought pursuant to 21 U.S.C. §
 881(a)(6) by the United States of America seeking forfeiture of
 \$6,271.00 in United States currency (the "Defendant Currency"),
 on the grounds that the Defendant Currency constitutes moneys
 furnished or intended to be furnished in exchange for a
 controlled substance, proceeds traceable to such an exchange,
 and/or moneys used or intended to be used to facilitate such an

exchange.

2. This Court has jurisdiction pursuant to 28 U.S.C. §§ 1345 and 1355.

3. Venue is proper under 28 U.S.C. §§ 1355(b) and 1395(b) because certain acts and omissions giving rise to the forfeiture took place in the Southern District of New York, and the Defendant Currency was found and seized in the Southern District of New York.

4. The Defendant Currency is currently in the custody of the United States Marshals Service's Seized Asset Deposit Fund.

II. PROBABLE CAUSE FOR FORFEITURE

5. On or about February 17, 2007, the New York State Police ("NYSP") received a call from an employee at the Hampton Inn, located at 20 Crystal Run Crossing, in Wallkill, New York to report a disorderly person in one of the hotel rooms. The room was registered under the name JOSEPH HARDY ("HARDY").

6. NYSP Troopers arrived at the Hampton Inn and immediately proceeded to the room in question. A black male, later identified as JOSEPH HARDY, answered the door after the NYSP Troopers knocked. When HARDY opened the door, the NYSP Troopers smelled burnt marijuana and saw a scale with white residue on it in the room.

7. Thereafter, HARDY granted consent for the NYSP Troopers to search his room. In the course of that search, the NYSP Troopers recovered 11 grams of cocaine, 85 ecstasy pills, and \$6,271.00 in U.S. currency, which was in a suitcase.

8. HARDY was placed under arrest by the NYSP and charged, inter alia, with criminal possession of a controlled substance.

9. On or about March 14, 2007, the Defendant Currency was approved for adoption by the Drug Enforcement Administration for federal forfeiture.

10. On or about May 31, 2007, the Drug Enforcement Administration received an affidavit signed by HARDY asserting a claim for the Defendant Currency.

III. CLAIM FOR FORFEITURE

11. Incorporated herein are the allegations contained in paragraphs one through ten of this Verified Complaint.

12. Pursuant to 21 U.S.C. § 881(a)(6), all moneys furnished or intended to be furnished in exchange for a controlled substance, all proceeds traceable to such exchanges, and all moneys used or intended to be used to facilitate such an exchange, in violation of Title 21 of the United States Code, are subject to seizure and forfeiture to the United States, and no property right exists in such proceeds.

13. The Defendant Currency is subject to forfeiture pursuant to 21 U.S.C. § 881(a)(6) because there is probable cause

to believe that it constitutes moneys intended to be furnished in exchange for a controlled substance, and/or proceeds traceable to such exchanges, and/or moneys used or intended to be used to facilitate such exchanges, in violation of Title 21 of the United States Code.

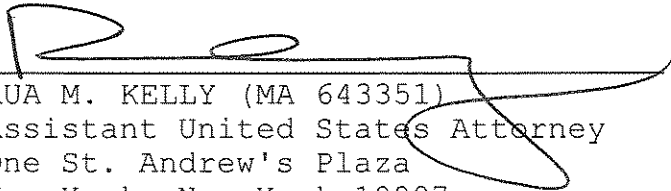
14. By reason of the foregoing, the Defendant Currency became, and is, subject to forfeiture to the United States of America, pursuant to 21 U.S.C. § 881(a)(6).

WHEREFORE, plaintiff United States of America prays that process issue to enforce the forfeiture of the Defendant Currency and that all persons having an interest in the Defendant Currency be cited to appear and show cause why the forfeiture should not be decreed, and that this Court decree forfeiture of the DEFENDANT CURRENCY to the United States of America for disposition according to law, and that this Court grant plaintiff such further relief as this Court may deem just and proper, together with the costs and disbursements of this action.

Dated: New York, New York
August 28, 2007

MICHAEL J. GARCIA
United States Attorney for the
Southern District of New York
Attorney for the Plaintiff
United States of America

By:



RUA M. KELLY (MA 643351)
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(212) 637-2471

VERIFICATION

STATE OF NEW YORK)
COUNTY OF NEW YORK :
SOUTHERN DISTRICT OF NEW YORK)

NELSON SALDANA, being duly sworn, deposes and says that he is a Investigator with the New York State Police ("NYSP") assigned to the Drug Enforcement Administration ("DEA"), and as such has responsibility for the within action; that he has read the foregoing complaint and knows the contents thereof; and that the same is true to the best of his own knowledge, information and belief.

The sources of deponent's information and the grounds of his belief are the official records and files of the DEA, the New York State Police in Middletown, New York, and the United States, and discussions with law enforcement officials and others.



NELSON SALDANA
Investigator
New York Police Department

Sworn to before me this
28th day of August, 2007



NOTARY PUBLIC

F1121
AMY K. GRANGE

Notary Public, State of New York
No. 020994430102F16044104
Qualified in New York County
Commission Expires June 28, 2010